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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 LARRY D. BAILEY,

10 Petitioner,

11 vs.

12 E. K. MCDANIEL,

13 Respondent.
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Case No. 3:10-CV-00757-LRH-(RAM)

ORDER

15 The court ordered (#3) petitioner to file a complete application to proceed in forma pauperis
16 or to pay the \$5 filing fee. Petitioner has not complied with the court's order within the allotted
17 time.

18 IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice for
19 petitioner's failure to comply with the court's order (#3). The clerk of the court shall enter
20 judgment accordingly.

21 DATED this 5th day of February, 2011.
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24 **LARRY R. HICKS**
25 **UNITED STATES DISTRICT JUDGE**
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